

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFERY A. McKINSTRY

Case No. 20-10780

Plaintiff,  
v.  
Stephanie Dawkins Davis  
United States District Judge

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**OPINION AND ORDER ACCEPTING AND ADOPTING  
THE MAGISTRATE JUDGE'S AUGUST 4, 2021  
REPORT AND RECOMMENDATION (ECF No. 17)**

Currently before the Court is Magistrate Judge Anthony P. Patti's August 4, 2021 Report and Recommendation. (ECF No. 17). Magistrate Judge Patti recommends granting defendant's motion for summary judgment, denying plaintiff's motion for summary judgment, and affirming the decision of the Commissioner. The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. “[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter.” *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge's recommended disposition.

Therefore, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 17), **GRANTS** defendant's motion for summary judgment, **DENIES** plaintiff's motion for summary judgment and **AFFIRMS** the decision of the Commissioner.

**IT IS SO ORDERED.**

Date: August 26, 2021

s/Stephanie Dawkins Davis  
Stephanie Dawkins Davis  
United States District Judge